



825 NE Multnomah, Suite 2000
Portland, Oregon 97232

April 28, 2022

VIA ELECTRONIC FILING

Public Utility Commission of Oregon
Attn: Filing Center
201 High Street SE, Suite 100
Salem, OR 97301-3398

**RE: UM 1729—Motion for a Partial Waiver of Oregon Administrative Rule
860-029-0085(4)(a)**

PacifiCorp d/b/a Pacific Power hereby submits for filing its Motion for a Partial Waiver of Oregon Administrative Rule 860-029-0085(4)(a) in the above captioned proceeding.

Please direct any inquiries about this filing to Cathie Allen, Regulatory Affairs Manager, at (503) 813-5934.

Sincerely,

A handwritten signature in cursive script that reads "Shelley McCoy".

Shelley McCoy
Director, Regulation

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1729

In the Matter of

PacifiCorp, d/b/a Pacific Power,

Application to Update Schedule 37
Qualifying Facility Information.

**MOTION FOR A PARTIAL WAIVER
OF OREGON ADMINISTRATIVE
RULE 860-029-0085(4)(a)**

Pursuant to Oregon Administrative Rule (OAR) 860-029-0005(4) and OAR 860-029-0085(4)(b), PacifiCorp d/b/a Pacific Power (PacifiCorp or Company) respectfully requests the Public Utility Commission of Oregon (Commission) grant a partial waiver of OAR 860-029-0085(4)(a). Specifically, PacifiCorp is requesting a partial waiver of the requirement contained in OAR 860-029-00(4)(a) that it file an update to its avoided costs rates on May 1 for calendar year 2022. The waiver is appropriate because on March 29, 2022, the Commission acknowledged the Company’s 2021 Integrated Resource Plan (IRP) subject to not relying on the Natrium reactor demonstration project and certain conditions. Under OAR 860-029-085(1), PacifiCorp is required to file with the Commission standard avoided cost rates within 30 days of a Commission decision regarding acknowledgement of the 2021 IRP or April 28, 2022. The Company filed the updated avoided costs rates on April 28 and a subsequent filing on May 1 would be redundant and not reflect new information. Good cause exists to grant the Company’s motion.

WAIVER REQUEST

OAR 860-029-0(4)(a) provides that “[o]n May 1 of each year, a public utility must file with the Commission updates to its standard avoided cost rates ...” OAR 860-029-0085(1) also provides that “[e]ach public utility must file with the Commission standard avoided cost rates

within 30 days of a Commission decision regarding acknowledgement of the public utility's [IRP]." Finally, OAR 860-029-085(4)(b) provides that "[i]n the event that a utility's [IRP] is acknowledged within 60 days of May 1 in a particular year, the utility may seek a waiver of either the May 1 update or the post IRP-acknowledgement filing."

The Commission rules acknowledge the possible redundancy of avoided cost filings in a calendar year where a utility's IRP is acknowledged within 60 days of the annual May 1 avoided cost rates update filing. This describes the Company's situation in calendar year 2022. On March 29, 2022, the Commission acknowledged the Company's 2021 IRP subject to not relying on the Natrium reactor demonstration project and certain conditions. The acknowledgement of the Company's 2021 IRP requires a filing of standard avoided cost rates by April 28, 2022.¹ Also under OAR 860-029-0085(4)(a), the Company is required to file an annual update to avoided cost rates on May 1, 2022.² However, the Commission rules allow a utility to request a waiver of one of these filings if the Commission decision acknowledging the utility's IRP occurs within 60 days of the annual May 1 filing. For PacifiCorp, the annual May 1 update filing falls within the 60-day period following the acknowledgment of its IRP, which expires on May 28, 2022. It is appropriate to waive the annual May 1 filing required under OAR 860-029-0085(4)(a) because such a filing would occur just days after the April 28 avoided costs rates filing required under OAR 860-029-0085(1). Thus, it would not reflect any new information and would be a redundant filing. No party would be prejudiced by the granting of PacifiCorp's waiver request. Good cause exists to grant the Company's motion.

¹ OAR 860-029-0085(1).

² This year May 1 falls on a Sunday and as a result the due date for this filing moves to the next business day, May 2, 2022.

CONCLUSION

Based on the foregoing, PacifiCorp respectfully requests that the Commission grant PacifiCorp a partial waiver of OAR 860-029-0085(4)(a) that requires an annual May 1 update to avoided cost rates for calendar year 2022. Good cause exists to grant the Company's request as PacifiCorp is filing avoided cost rates under OAR 860-029-0085(1) on April 28, 2022.

Respectfully submitted this 28th day of April, 2022, on behalf of PacifiCorp.



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